

2801-0209X
PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Malcolm CARTER et al.
Patent No.: 6,713,485 B2
Filed: February 8, 2002
Issued: March 30, 2004
For: HETEROCYCLIC COMPOUNDS

PETITION UNDER 37 C.F.R. §1.324 TO CORRECT THE
INVENTORSHIP OF A PATENT

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 7, 2005

Sir:

The undersigned respectfully petition under 37 C.F.R. §1.324 on behalf of the Patentee that the Director issue the attached Certificate of Correction to correct the inventorship of US Patent No. 6,713,485 B2. Specifically, the inventorship of the patent is to be corrected by deletion of KATHRYN JANE SMITH as a named inventor of the claimed subject matter.

In fulfillment of the requirements under 37 C.F.R. §1.324, attached hereto are the following:

Patent No. 6,713,485

(1) A statement from the current named inventors, who are listed below, stating that they have no disagreement with the requested change.

Currently Name Inventors:

- i) Malcolm Clive Carter
- ii) George Stuart Cockerill
- iii) Stephen Barry Guntrip
- iv) Karen Elizabeth Lackey
- v) Kathryn Jane Smith

(2) A statement from the assignee of the patent, SmithKline Beecham Corporation, which complies with the requirements under 37 C.F.R. §3.73(b) and which agrees to the requested change of inventorship.

(3) The fee of \$130.00 as set forth under 37 C.F.R. §1.20(b).

If there are any questions regarding the present petition or the Examiner requires any additional information, please contact MaryAnne Armstrong, PhD (Reg. No. 40,069) at (703) 205-8063.

Patent No. 6,713,485

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By *ma*
MaryAnne Armstrong, #40,069

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

GMM/MAA

- Attachments:
- Fee Payment
 - Statement of all current inventors
 - Statement of Assignee
 - Certificate of Correction

2801-0209X
PATENT

STATEMENT FROM THE ASSIGNEE UNDER 37 C.F.R. §§1.324
and 3.73(b) FOR A PETITION TO CORRECT THE
INVENTORSHIP OF A PATENT

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

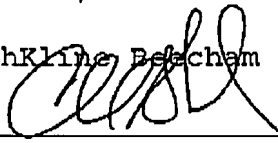
Sir:

Under the requirements of 37 C.F.R. §§ 1.324 and 3.73(b), the Assignee of US Pat. Nos. 6,713,485 B2 and 6,727,256, SmithKline Beecham Corporation, agrees to the requested change of inventorship, whereby KATHRYN JANE SMITH will be deleted as a named inventor of the claimed subject matter. In compliance with the requirements of 37 C.F.R. §3.73(b)(1)-(2) attached hereto are the following:

(1) *Documentary evidence of the chain of title from the inventors to the assignee.* In this regard, attached hereto is a copy of the recorded assignment, which transferred ownership from the inventors to Glaxo Wellcome, Inc.. Also attached is a copy of the merger documents recorded with the USPTO on May 2, 2005, which shows the merger of Glaxo Wellcome, Inc. into SmithKline Beecham Corporation, the named Assignee listed on the front of US Pat. Nos. 6,713,485 B2 and 6,727,256.

Patent No. 6,713,485

(2) A showing that the undersigned, Charles E. Dadswell, is authorized to act on behalf of the assignee. I, Charles E. Dadswell, am authorized to act on behalf of the Assignee, SmithKline Beecham Corporation.

By  _____

Date 07/21/2005

Charles E. Dadswell, Attorney
(Resolution Attached)

Attachments: Assignment and merger documents

Power of Attorney

BY THIS POWER OF ATTORNEY given this 23rd day of February two thousand and five SMITHKLINE BEECHAM CORPORATION, a company incorporated in Pennsylvania (Registration No. 3330395) and having its registered office at One Franklin Plaza, P.O. Box 7929, Philadelphia, Pennsylvania 19101, United States of America, (hereinafter called "the Company"), HEREBY appoints all and any of its Directors, Secretary and Assistant Secretary for the time being, and DAVID ROBERTS, PETER JOHN GIDDINGS, ARTHUR WILLIAM RUSSELL TYRRELL, HUGH BAINFORDE DAWSON, WENDY ANNE FILLER, MICHAEL JOHN STOTT, PETER I. DOLTON, HELEN KAYE QUILLIN, MARCUS JONATHAN WILLIAM DALTON, CHARLES M. KINZIG, STEPHEN VENETIANER, THEODORE R. FURMAN, MARY E. McCARTHY, EDWARD R. GIMMI, CHARLES EDWARD DADSWELL, ROBERT H. BRINK, and FRANK P. GRASSLER jointly and severally to be its true and lawful agents and attorneys (hereinafter called "the Attorneys") on behalf and in the name of the Company or otherwise to do, perform, exercise or execute or concur with any other person or persons in doing, performing or exercising in or for any country or countries or jurisdiction in any part of the world all or any of the following powers, acts, deeds and things in connection with: letters patent, including extensions thereto; utility models; copyrights; trademark registrations; trademarks; trade names; trade dress; logos; design rights; designs and all rights analogous thereto and all applications therefor and any other forms whatsoever of intellectual property rights; including know-how, all of which are hereinafter called "Intellectual Property Rights", that is to say:

1. In any country or countries or jurisdiction in any part of the world to make application or cause application to be made for the grant or issue or transfer to the Company or registration in its name of Intellectual Property Rights and to take all steps necessary for the same to be prosecuted, maintained, withdrawn, renewed, enforced, defended or extended.
2. As the act and deed of the Company to sign, seal, deliver and execute all or any assignments or assurances, licences to the Company of or under any Intellectual Property Rights or the right to and interest in any inventions to be the subject of Intellectual Property Rights for the purpose of fully and effectually vesting and transferring the same in and to the Company.
3. As the act and deed of the Company to sign and execute all or any assignments and acceptances of the transfer or assignment of such rights, and also any licences, sub-licences and consents from the Company of or under any Intellectual Property Rights or the right to and interest in any invention to be the subject of Intellectual Property Rights, for the purpose of fully and effectually vesting transferring or granting the same in and to any entity, whether in the United Kingdom or elsewhere, in so far as such documents can be executed without the Company's seal being affixed thereto. For purposes of this Power of Attorney, the terms "entity" means, and includes, any person, firm or company or group of persons or unincorporated body.
4. To give undertakings or assurances to third parties and to any Trademark Registry or official intellectual property agency or governmental department or otherwise responsible for the registration or protection of trademarks, trade names, trade dress, logos, design rights or designs for the purpose of best protecting or ensuring the co-existence of the Company's rights to trademarks, trade names, trade dress, logos, design rights or designs.
5. To commence, prosecute and defend any proceedings or applications whether judicial or extra judicial relating to Intellectual Property Rights and to maintain, withdraw or settle the same.

- 6. For and in connection with any Intellectual Property Rights to sign, seal, deliver and execute any Power of Attorney or other deed or document authorising any agent, including trademark and patent agents and attorneys, to act on behalf of the Company.
- 7. To apply for the registration, amendment or cancellation of user rights in respect of any trademark or trade name.
- 8. To act in regard to all official communications which may now or hereafter be addressed to the Attorneys relating to Intellectual Property Rights or the renewal thereof in such manner that the Attorneys may be recognised as the authorised agent(s) of the Company in all proceedings in relation thereto.
- 9. For all or any of the purposes contained herein as the act and deed of the Company to sign, seal, deliver, execute and do all such documents, deeds, agreements, instruments and to do such acts as shall be requisite or may be deemed proper for or in relation to the said purposes.
- 10. This Power of Attorney shall expire on December 31, 2006

AND THE COMPANY HEREBY RATIFIES and confirms and agrees to ratify and confirm all and whatsoever the Attorneys or any person, persons, firm or company appointed by them shall lawfully do or have done by virtue of the authorities herein contained

AND THE COMPANY HEREBY DECLARES that all instruments executed under and by virtue of this Power shall be as valid and effectual as if sealed by the Common Seal of the Company.

IN WITNESS whereof **SMITHKLINE BEECHAM CORPORATION** has caused its Common Seal to be hereunto affixed the day and year first before written

The **COMMON SEAL** of)
SMITHKLINE BEECHAM CORPORATION)
 was hereto affixed in the presence of:)

Donald F. Parman
 Donald F. Parman
 Vice President and Secretary



United States Patent and Trademark Office

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Assignments on the Web > Patent Query

Patent Assignment Abstract of Title

NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 2

Patent #: 6727256 Issue Dt: 04/27/2004 Application #: 09582746 Filing Dt: 06/30/2000
PCT #: EP9900048

Inventors: MALCOLM CLIVE CARTER, GEORGE STUART COCKERILL, STEPHEN BARRY GUNTRIP et al
Title: BICYCLIC HETEROAROMATIC COMPOUNDS AS PROTEIN TYROSINE KINASE INHIBITORS

Assignment: 1

Reel/Frame: 009804/0668 Recorded: 03/01/1999 Pages: 6

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: KAREN ELIZABETH LACKEY Exec Dt: 01/08/1999

Assignees: GLAXO WELLCOME INC.
P.O. BOX 13398 GLOBAL INTELLECTUAL PROPERTY DEPT.
FIVE MOORE DRIVE
RTP, NORTH CAROLINA 27709.
GLAXO GROUP LIMITED
GLOBAL INTELLECTUAL PROPERTY DEPT.
BERKELEY AVENUE
GREENFORD, MIDDLESEX UB6 0NN, UNITED KINGDOM

Correspondent: GLAXO WELLCOME INC., PATENT COUNSEL
DAVID J. LEVY
FIVE MOORE DRIVE
PO BOX 13398
RTP NC 27709

Assignment: 2

Reel/Frame: 011281/0024 Recorded: 11/14/2000 Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: CATRER, MALCOLM CLIVE Exec Dt: 06/15/2000
COCKERILL, GEORGE STUART Exec Dt: 06/15/2000
GUNTRIP, STEPHEN BARRY Exec Dt: 06/15/2000
SMITH, KATHRYN JANE Exec Dt: 06/15/2000

Assignee: GLAXO WELLCOME INC.
GLOBAL INTELLECTUAL PROPERTY DEPARTMENT
FIVE MOORE DRIVE, PO BOX 13398
RESEARCH TRIANGLE PARK, NORTH CAROLINA 27709

Correspondent: GLAXO WELLCOME INC.
DAVID J. LEVY
FIVE MOORE DRIVE

NOV-01-2006 WED 04:03 PM

FAX NO.

P. 12

USPTO Assignments on the Wr

Page 2 of 2

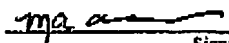
PO BOX 13398
RTP NC 27709

Search Results as of: 09/04/2005 01:24 PM

If you have any comments or questions concerning the data displayed, contact DPR / Assignments at 703-308-8723

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Atty. Docket No.: 2801-0209X
Page 1 of 1

RECORDATION FORM COVER SHEET PATENTS ONLY	
<i>To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.</i>	
<p>1. Name of conveying party(ies): GLAXO WELLCOME, INC.</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>	<p>2. Name and address of receiving party(ies) Name: SMITHKLINE BEECHAM CORPORATION</p> <p>Internal Address:</p> <p>Street Address: One Franklin Plaza</p> <p>P.O. Box 7929</p> <p>City: Philadelphia State: PA ZIP: 19101</p> <p>Country: Postal Code:</p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
<p>3. Nature of conveyance:</p> <p><input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger</p> <p><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other:</p> <p>Execution Date: March 31, 2001</p>	<p>4. Application number(s) or patent number(s):</p> <p>If this document is being filed together with a new application, the execution date of the application is:</p> <p>A. Patent Application No(s). B. Patent No.(s).</p> <p style="margin-left: 40px;">6,713,485 B2</p> <p style="margin-left: 40px;">6,727,256 B1</p> <p style="text-align: center;">Additional numbers attached? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: BIRCH, STEWART, KOLASCH & BIRCH, LLP</p> <p>Street Address: P.O. BOX 747</p> <p>City: FALLS CHURCH State: VA ZIP: 22040-0747</p> <p>Country: USA</p>	<p>6. Total No. of applications/patents involved: two (2)</p> <p>7. Total fee (37 C.F.R. § 3.41): \$80.00</p> <p><input checked="" type="checkbox"/> Enclosed</p> <p><input checked="" type="checkbox"/> Authorized to be charged to deposit account, if no fee attached.</p> <p>8. Deposit account number: 02-2448</p> <p style="font-size: small;">(Attach duplicate copy of this page if paying by deposit account)</p>
DO NOT USE THIS SPACE	
<p>9. Statement and signature.</p> <p><i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i></p> <p style="margin-top: 20px;"> <u>MaryAnne Armstrong, #40,069</u> Name of Person Signing/Reg. No.  Signature <u>May 2, 2005</u> Date </p> <p style="text-align: center; margin-top: 10px;">Total number of pages including cover sheet, attachments, and document: four (4)</p>	

MAA/csm/geb

AUG 13 '02 08:43AM GLAXO WELLCOME

P.1/3

COMMONWEALTH OF PENNSYLVANIA

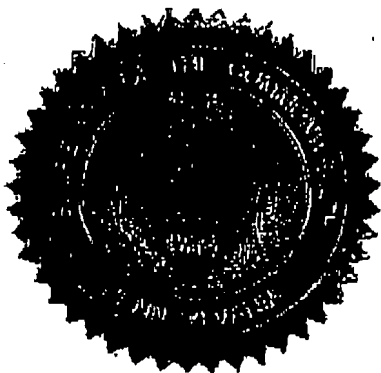
DEPARTMENT OF STATE

APRIL 05, 2001

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

SMITHKLINE BEECHAM CORPORATION

I, Kim Pizzingrilli, Secretary of the Commonwealth of Pennsylvania do hereby certify that the foregoing and annexed is a true and correct photocopy of Articles of Merger restating the Articles of Incorporation in their entirety which appear of record in this department



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written.

Kim Pizzingrilli

Secretary of the Commonwealth

DPOS

AUG 13 2002 09:49AM GLAXO WELLCOME

P. 2/3

200124-455

MAR 9 2001

Microfilm Number _____

Filed with the Department of State on _____

Entity Number 533095

Kim P. Pizzinelli
Secretary of the Commonwealth JK

ARTICLES OF MERGER-DOMESTIC BUSINESS CORPORATION
SECTION 1704 (Nov. 98)

In compliance with the requirements of 15 Pa.C.S. § 1726 (relating to articles of merger or consolidation), the undersigned business corporation, desiring to effect a merger, hereby state that:

1. The name of the corporation surviving the merger is: SmithKline Beecham Corporation

2. (Check and complete one of the following):

The surviving corporation is a domestic business corporation and the (a) address of its current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) One Franklin Plaza, 700 North 16th Street, Philadelphia, PA 19102 Phila.
Number and Street City State Zip County

(b) c/o: _____ County

for a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

The surviving corporation is a qualified foreign business corporation incorporated under the laws of _____ and the (a) address of its current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) _____ City State Zip County

(b) c/o: _____ County

for a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

The surviving corporation is a nonqualified foreign business corporation incorporated under the laws of _____ and the address of its principal office under the laws of such ancillary jurisdiction is:

Number and Street City State Zip

3. The name and the address of the registered office in this Commonwealth or name of its commercial registered office provider and the county of venue of each other domestic business corporation and qualified foreign business corporation which is a party to the plan of merger are as follows:

Name of Corporation Address of Registered Office or Name of Commercial Registered Office Provider County
Glaxo Wellcome Inc. OT Corporation System Philadelphia

AUG 13 '02 08:45AM GLAXO WELLCOME

P. 3/2

200124-956

DSC011-1736 (Rev. 9/01-2)

4. (Check, and if appropriate complete, one of the following):

The plan of merger shall be effective upon filing these Articles of Merger in the Department of State.
 The plan of merger shall be effective on March 31, 2001 at 11:30 P.M.
Date Hour

5. The manner in which the plan of merger was adopted by each domestic corporation is as follows:

Name of Corporation	Manner of Adoption
<u>SmithKline Beecham Corporation</u>	<u>Adopted by the directors and shareholders pursuant to 15 Pa.C.S. § 1924(e).</u>

6. (Strike out this paragraph) If no foreign corporation is a party to the merger, the plan was authorized, adopted or approved, as the case may be, by the foreign business corporation (or each of the foreign business corporations) party to the plan in accordance with the laws of the jurisdiction in which it is incorporated.

7. (Check, and if appropriate complete, one of the following):

The plan of merger is set forth in full in Exhibit A attached hereto and made a part hereof.
 Pursuant to 15 Pa.C.S. § 1901 (relating to omission of certain provisions from filed plans) the provisions, if any, of the plan of merger that amend or constitute the operative Articles of Incorporation of the surviving corporation as in effect subsequent to the effective date of the plan are set forth in full in Exhibit A attached hereto and made a part hereof. The full text of the plan of merger is on file at the principal place of business of the surviving corporation, the address of which is:

Number and Street	City	State	Zip	County

IN TESTIMONY WHEREOF, the undersigned corporation or each undersigned corporation has caused these Articles of Merger to be signed by a duly authorized officer thereof this 30th day of March, 2001.

SMITHKLINE BEECHAM CORPORATION
(Name of Corporation)
BY: Donald Y. Parman
(Signature)
TITLE: Donald Y. Parman, Secretary

GLAXO WELLCOME, INC.
(Name of Corporation)
BY: Paul A. Wolcumba, Jr.
(Signature)
TITLE: Paul A. Wolcumba, Jr., Secretary

2801-0209X
PATENT

INVENTOR'S STATEMENT FOR PETITION TO CORRECT THE
INVENTORSHIP OF A PATENT UNDER 37 C.F.R. §1.324

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, KAREN ELIZABETH LACKEY, have no disagreement with the proposed change in the inventorship of US Pat. Nos. 6,713,485 B2 and 6,727,256, whereby Kathryn Jane Smith will be deleted as a named inventor of the claimed subject matter.

By Karen Elizabeth Lackey
KAREN ELIZABETH LACKEY

Date July 15, 2005

2801-0209X
PATENT

INVENTOR'S STATEMENT FOR PETITION TO CORRECT THE
INVENTORSHIP OF A PATENT UNDER 37 C.F.R. §1.324

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, KATHRYN JANE SMITH, have no disagreement with the proposed change in the inventorship of US Pat. Nos: 6,713,485 B2 and 6,727,256 whereby I will be deleted as a named inventor of the claimed subject matter.

By K. J. SMITH
KATHRYN JANE SMITH

Date 13th July 2005.

2801-0209X
PATENT

INVENTOR'S STATEMENT FOR PETITION TO CORRECT THE
INVENTORSHIP OF A PATENT UNDER 37 C.F.R. § 1.324

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, GEORGE STUART COCKERILL, have no disagreement with the proposed change in the inventorship of US Pat. Nos. 6,713,485 B2 and 6,727,256 whereby Kathryn Jane Smith will be deleted as a named inventor of the claimed subject matter.

By


GEORGE STUART COCKERILL

Date

22nd July 2005

2801-0209X
PATENT

INVENTOR'S STATEMENT FOR PETITION TO CORRECT THE
INVENTORSHIP OF A PATENT UNDER 37 C.F.R. § 1.324

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, MALCOLM CLIVE CARTER, have no disagreement with the proposed change in the inventorship of US Pat. Nos. 6,713,485 B2 and 6,727,256 whereby Kathryn Jane Smith will be deleted as a named inventor of the claimed subject matter.

By


MALCOLM CLIVE CARTER

Date

11th July 2005

2801-0209X
PATENT

INVENTOR'S STATEMENT FOR PETITION TO CORRECT THE
INVENTORSHIP OF A PATENT UNDER 37 C.F.R. §1.324

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, STEPHEN BARRY GUNTRIP, have no disagreement with the proposed change in the inventorship of US Pat. Nos. 6,713,485 B2 and 6,727,256 whereby Kathryn Jane Smith will be deleted as a named inventor of the claimed subject matter.

By 
STEPHEN BARRY GUNTRIP

Date 11/7/05

PATENT
2801-0209X

IN THE U.S. PATENT AND TRADEMARK OFFICE

Patentee: Malcolm Carter et al.
Patent No.: 6,713,485 B2
Filed: February 8, 2002
Issue Date: March 30, 2004
For: HETEROCYCLIC COMPOUNDS
ATTN: CERTIFICATE OF CORRECTIONS BRANCH

REQUEST FOR CERTIFICATE OF CORRECTION
UNDER 37 C.F.R. § 1.322

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 7, 2005

Sir:

Attached hereto is a Certificate of Correction (Form PTO-1050) in connection with the above-identified patent.

It is noted that the attached Certificate of Correction form is being filed to correct the inventorship of the claimed invention. Specifically, KATHRYN JANE SMITH has been deleted as an inventor of the claimed subject matter. Upon further review of the patented claims, the patentee realized that KATHRYN JANE SMITH should have been deleted as an inventor upon amendment of the claims during examination. This error occurred without deceptive intent.

The fee under 37 C.F.R. § 1.20(a) of \$100.00 is attached hereto. Also attached hereto, in compliance with the requirements of 37 C.F.R. § 1.1.324 and M.P.E.P. § 1481 are the

Atty Docket No.: 2801-0209X

Inventor: M. Carter et al.

Application No.: 09/582,746 (USP 6,727,256) Filing Date: Jan. 8, 1999 (Issued Apr. 27, 2004)

Title: Heterocyclic Compounds

Documents Filed:

Letter Regarding Petition for Retroactive Foreign Filing License under 37 CFR §§ 5.13, 5.14, & 5.25

Via: BSKB Courier
Sender's Initials: MAA/cdr

Due Date: ASAP
Date: October 7, 2005